

Introduced by Senator FullerFebruary 17, 2011

An act to amend Section 11343.4 of the Government Code, relating to regulations.

LEGISLATIVE COUNSEL'S DIGEST

SB 553, as introduced, Fuller. Regulations: effective date.

Existing law, the Administrative Procedure Act, governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Under existing law, a regulation or an order of repeal of a regulation becomes effective on the 30th day after it is filed with the Secretary of State, except as provided.

This bill would require that a regulation or an order of repeal of a regulation become effective, instead, 180 days after the date it is filed with the Secretary of State, except as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11343.4 of the Government Code is
- 2 amended to read:
- 3 11343.4. A regulation or an order of repeal required to be filed
- 4 with the Secretary of State shall become effective on the ~~30th~~ 180th
- 5 day after the date of filing unless:
- 6 (a) Otherwise specifically provided by the statute pursuant to
- 7 which the regulation or order of repeal was adopted, in which event
- 8 it becomes effective on the day prescribed by the statute.

- 1 (b) A later date is prescribed by the state agency in a written
- 2 instrument filed with, or as part of, the regulation or order of repeal.
- 3 (c) The agency makes a written request to the office
- 4 demonstrating good cause for an earlier effective date, in which
- 5 case the office may prescribe an earlier date.